

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00172

**Charles Kimble,**  
*Plaintiff,*

v.

**Maxey Cerliano et al.,**  
*Defendants.*

**ORDER**

Plaintiff Charles Kimble, Jr. filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging violations of his civil rights by administrators of the Gregg County Jail. Doc. 1. The case was referred to United Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. Doc. 3.

On December 2, 2020, the magistrate judge issued a report recommending that defendants' motions for summary judgment (Docs. 22, 32) be granted because plaintiff failed to exhaust his administrative remedies. Doc. 50. The report further recommended that plaintiff's claims be dismissed without prejudice. Doc. 50. No objections were filed.

When no party objects to a magistrate judge's report, the court reviews its findings for clear error, abuse of discretion, and legal conclusions contrary to law. *See Douglass v. United Servs. Auto. Ass'n.*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1).

Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court **accepts** its findings and recommendation. Fed. R. Civ. P. 72(b)(3). Defendants' motions for summary judgment (Docs. 22, 32) are **granted**. Plaintiff's claims against defendants are **dismissed without prejudice**.

*So ordered by the court on January 20, 2021.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge